

Article - Education

§9.5-404.

(a) The State Board shall adopt rules and regulations for licensing and operating child care centers.

(b) These rules and regulations shall:

(1) Ensure safe and sanitary conditions in child care centers;

(2) Ensure proper care, protection, and supervision of children in child care centers;

(3) Ensure the health of children in child care centers by:

(i) Monitoring children for signs and symptoms of child abuse;

(ii) Instructing licensees and staff concerning child abuse detection and reporting;

(iii) Monitoring health practices to help prevent the spread of disease; and

(iv) Monitoring the care of infants and children with special needs;

(4) Promote the sound growth and development of children in child care centers;

(5) Promote proper nutrition and developmentally appropriate practices by:

(i) Establishing training and policies promoting breast-feeding;

(ii) 1. Requiring compliance with the United States Department of Agriculture Child and Adult Care Food Program standards for beverages served to children, except that milk that is not nonfat or low fat may be ordered by a health care practitioner or requested by a parent or guardian; and

2. Prohibiting beverages other than infant formula that contain added sweetener or caffeine; and

(iii) Setting limits on screen time;

(6) Carry out otherwise the purposes and requirements of this subtitle, including imposition of intermediate sanctions to ensure compliance;

(7) Prohibit a child from remaining at a child care center for more than 14 hours in 1 day unless the Department issues an exception for that child based on guidelines set by the State Superintendent;

(8) (i) Require that a child care center have in attendance at all times at least 1 individual who is responsible for supervision of children, including children on field trips, and who holds a current certificate indicating successful completion of approved:

1. Basic first aid training through the American Red Cross or through a program with equivalent standards; and

2. Cardiopulmonary resuscitation (CPR) training through the American Heart Association or through a program with equivalent standards appropriate for the ages of children for whom care is provided in the child care center; and

(ii) Require that a child care center serving more than 20 children have in attendance certificate holders described in item (i) of this item in a ratio of at least 1 certificate holder for every 20 children;

(9) (i) Require that a child care center that receives notice of a contaminated drinking water supply from the child care center's supplier of water, in accordance with § 9-410 of the Environment Article or otherwise, send notice of the drinking water contamination to the parent or legal guardian of each child attending the child care center; and

(ii) Require that the notice sent by the child care center shall:

1. Be sent within 10 business days after receipt of the notice of contamination from the child care center's water supplier;

2. Be in writing;

3. Identify the contaminants and their levels in the center's water supply; and

4. Describe the child care center's plan for dealing with the water contamination problem until the child care center's water is determined by the appropriate authority to be safe for consumption;

(10) (i) Require a child care center to have a written emergency preparedness plan for emergency situations that require evacuation, sheltering in place, or other protection of children, such as in the event of fire, natural disaster, or other threatening situation that may pose a health or safety hazard to the children in the child care center;

(ii) Require the plan under item (i) of this item to include:

1. A designated relocation site and evacuation route;
2. Procedures for notifying parents or other adults responsible for the child of the relocation;
3. Procedures to address the needs of individual children, including children with special needs;
4. Procedures for the reassignment of staff duties during an emergency, as appropriate; and
5. Procedures for communicating with local emergency management officials or other appropriate State or local authorities; and

(iii) Require a child care center to train staff and ensure that staff are familiar with the plan;

(11) Require a child care center to have window coverings in accordance with § 5–505 of the Family Law Article; and

(12) Subject to subsection (c) of this section, establish probationary employment qualifications for an individual who is applying for the first time to be a child care teacher in a child care center in the State that serves preschool or school-age children who are at least 3 years old.

(c) (1) The probationary employment qualifications established under subsection (b)(12) of this section shall allow an individual to be employed as a child care teacher during a probationary period if the individual:

- (i) 1. Is enrolled in approved pre-service training;

2. Successfully completes the required 90 hours of the approved pre-service training within 6 months after being hired; and

3. Holds an associate degree or a bachelor's degree in:

A. Early childhood education;

B. Elementary education;

C. Child development;

D. Home economics;

E. Nursing;

F. Social work;

G. Special education; or

H. A related field approved by the Department; or

(ii) 1. Is enrolled in approved pre-service training;

2. Has successfully completed at least 45 hours of the approved pre-service training at the time the child care center hires the individual;

3. Successfully completes the remaining hours of the pre-service training within 6 months after being hired; and

4. Holds an associate degree or a bachelor's degree in a field other than a field listed under item (i)3 of this paragraph.

(2) If, at the end of the 6-month probationary period, an individual described in paragraph (1) of this subsection has not completed the required pre-service training, the child care center shall, with no further cause, terminate the individual or reassign the individual to a nonteaching position.